

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

CALVIN JONES,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. H-07-1031
	§	
MARK JONES, et al.,	§	
	§	
Defendants.	§	

**MEMORANDUM OPINION AND ORDER**

The plaintiff in this action has not responded to this court's order of August 14, 2007, which required the plaintiff to submit a more definite statement of the facts on which his complaint is based within thirty days. See Order for More Definite Statement, Docket Entry No. 9. The court's Order specifically provided that "[f]ailure to comply as directed may result in the dismissal of this action." Id. The plaintiff's failure to pursue this action forces this court to conclude that he lacks due diligence.


Therefore, under the inherent powers necessarily vested in a court to manage its own affairs, this court determines that dismissal for want of prosecution is appropriate. See FED. R. CIV. P. 41(b); Link v. Wabash R.R., 82 S.Ct. 1386 (1962); Woodson v. Surgitek, Inc., 57 F.3d 1406, 1417 (5th Cir. 1995). The plaintiff is advised, however, that upon a proper showing, relief from this

order may be granted in accordance with FED. R. CIV. P. 60(b). See Link, 82 S.Ct. at 1391.

Accordingly, it is hereby **ORDERED** that this action be **DISMISSED WITHOUT PREJUDICE** for want of prosecution.

The Clerk shall provide copies of this Memorandum Opinion and Order to the parties.

**SIGNED** at Houston, Texas, on this 11th day of January, 2008.

  
SIM LAKE  
UNITED STATES DISTRICT JUDGE